

**THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY**

**WRIT PETITION No.18562 of 2007**

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**Dt:31.08.2007**

Between:

M. Kondaiah.

.. Petitioner

and

The Motor Vehicle Inspector, Medak, Medak District and others.

.. Respondents

**THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY**

**WRIT PETITION No.18562 OF 2007**

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**ORDER:**

The vehicle of the petitioner bearing No.AP 23 T 3019 Tractor and AP 23 T 3020 trally was seized on 30.06.2007, on the ground that the petitioner failed to produce the necessary documents in relation to it. The petitioner challenges the seizure.

Heard the learned counsel for the petitioner and learned Government Pleader for the respondents.

A perusal of the Vehicle Check Report, dated 30.07.2007, issued by the 1<sup>st</sup> respondent, discloses that the petitioner did not produce R.C., F.C., permits and proof of payment of tax and Driving Licence. Certain other lapses were also pointed out. The liability of the petitioner in the context of these observations needs to be established in the proceedings to be initiated under the

relevant provisions of the Motor Vehicles Act. If the vehicle is detained and kept in the custody of the 1<sup>st</sup> respondent till such proceedings take place, not only the petitioner would be put to irreparable loss, but also the vehicle would be exposed to the danger of theft and damage. The interest of the State can be protected by imposing necessary conditions, while permitting the petitioner to keep the custody of the vehicle.

For the foregoing reasons, the writ petition is disposed of, directing that-

- a) the vehicle of the petitioner, bearing No. AP 23 T 3019 Tractor and AP 23 T 3020 trally shall be released, on his depositing a sum of Rs.5,000/- (Rupees Five Thousand Only); and
- b) the petitioner shall also furnish an undertaking to the effect that he shall not alienate the vehicle, till the proceedings in pursuance of the Check Report are finalized and that he shall produce the vehicle as and when required.

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**L. NARASIMHA REDDY, J**

Dated:31.08.2007

Note: Issue C.C. tomorrow.

(B/o)

**sj**

